

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

---

FRANKIE HUNTER,

Petitioner,

v.

Case No. 14-2688

UNITED STATES OF AMERICA,

Respondent.

---

**ORDER DIRECTING GOVERNMENT TO PRODUCE ELECTRONIC FILES AND  
DIRECTING RESPONSE FROM PETITIONER**

On September 18, 2014, the court held an evidentiary hearing for this ancillary forfeiture matter. It has come to the court's attention that through inadvertent mistake, the government entered one CD into evidence as exhibit 3, but played identical audio recordings from a separate CD during the hearing. (See Dkt. # 6, Pg. ID 11–14.) According to the government, the relevant electronic files on the two CDs are the same; the only difference between the two CDs is that the one which was entered into evidence contains a greater number of audio files than the one played for the court during the hearing. Although Petitioner did not object to the authenticity of the recordings that were actually entered into evidence, he must be given an opportunity to do so now before the record is corrected. Accordingly,

IT IS ORDERED that Petitioner Frankie Hunter is DIRECTED to respond in writing to the government's motion for *nunc pro tunc* admission of exhibit by **October 3, 2014**.

IT IS FURTHER ORDERED that the government is DIRECTED to immediately produce the CD marked as exhibit 3 to the court's Detroit chambers. The government will also produce a copy of this CD to Petitioner upon his request.

s/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: September 24, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 24, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522